

EXHIBIT 161

to Space Data's Opposition to Defendants'
Motion for Summary Judgment

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

Case No. 5:16-cv-03260-BLF (NC)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

X

SPACE DATA CORPORATION,

Plaintiff,

vs.

ALPHABET, INC., GOOGLE, LLC, and

LOON, LLC,

Defendants.

X

VIDEOTAPED DEPOSITION OF ROBERT JOHN
 HANSMAN, JR., Ph.D., a witness called on behalf of
 the Plaintiff, taken pursuant to the applicable
 provisions of the Federal Rules of Civil Procedure,
 before Valerie R. Johnston, Registered Professional
 Reporter and Notary Public in and for the
 Commonwealth of Massachusetts, at the Offices of
 O'Brien & Levine Court Reporting Solutions, at 68
 Commercial Wharf, Boston, Massachusetts, on
 Thursday, December 13, 2018, commencing at 10:16 a.m



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1 Space Data that have been produced in the -- in
2 discovery in this action. It is my understanding
3 that I've -- that I haven't seen all of the
4 photographs that were produced in discovery.

5 Q. How many are missing?

6 MR. KAMBER: Objection. Argumentative,
7 asked and answered, foundation, assumes facts not in
8 evidence.

9 A. I don't know that any are missing.

10 Q. Okay. Who's Mini Ingersol, please?

11 MR. KAMBER: Objection. Foundation.

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED]

28 [REDACTED]

29 [REDACTED]

30 [REDACTED]

31 [REDACTED]

25 | A. I don't know the exact number.

1 Q. Give me your best sense, please.

2 MR. KAMBER: Objection. Calls for
3 speculation, lack of foundation.

4 A. Yeah. Just based on people in the pictures
5 and whatever looked to be somewhere around seven to
6 ten. I don't know.

7 Q. How many of -- of them were engineers for
8 Google?

9 MR. KAMBER: Objection. Foundation.

10 A. I -- I don't know.

11 Q. How long did the tour last?

12 MR. KAMBER: Objection. Foundation.

13 A. I don't know.

14 Q. What were they showing during the tour,
15 please?

16 MR. KAMBER: Objection. Foundation.

17 A. Some of the things they were showing during
18 the tour was the launch of a balloon. They were
19 shown -- there's a -- a picture in the location
20 where the balloons are dipped. They seem -- were
21 shown an assembly area, and they were shown the
22 network operations center, I believe. I don't know
23 what else.

24 Q. All right, sir. What was said by Space
25 Data about its use of wind data during that tour,

1 computer.

2 Q. Who's Dan McCloskey, please?

3 MR. KAMBER: Objection. Foundation.

4 A. The name is familiar, but I can't recall
5 specifically.

6 Q. Who's Michael Pearson, please?

7 A. I don't know.

8 MR. KAMBER: Objection. Foundation.

9 Q. You talk about the residuals clause in the
10 NDA in your report, do you not, sir?

11 A. Can you point me to where that is.

12 Q. No. I'm asking to see what you recall
13 first. Do you -- do you recall talking about the
14 party's NDA at all?

15 MR. KAMBER: Objection. Vague as to you're
16 referring to a portion of his report, but you're
17 refusing to actually point him to it.

18 A. (Witness reviews documents) I don't think I
19 talked about it but...

20 Q. Well, let me ask you this question: Is it
21 your opinion, sir, in this case that Google relied
22 on its unaided memory of what it learned from Space
23 Data in its Loon work?

24 MR. KAMBER: Objection. Vague.

25 A. I don't know that there was anything

1 particularly relevant from the Space Data. So I
2 don't know whether they relied on their unaided
3 memory or not.

4 Q. Okay. And you're not intending to offer
5 any opinion on that issue in this case?

6 A. I was only asked to look at the specific
7 materials. That's all I've looked at.

8 Q. When did Google hire Richard DeVaul?

9 MR. KAMBER: Objection. Foundation.

10 A. I don't know.

11 Q. What's Google's affirmative defense in its
12 first answer in this case?

13 MR. KAMBER: Objection. Foundation.

14 A. What was the question again?

15 Q. What's Google's first affirmative defense
16 in its first answer in this litigation, Dr.
17 Hansman?

18 A. I don't know.

19 Q. It's independent development. What does
20 the phrase, independent development, mean to you?

21 MR. KAMBER: Objection. Foundation, vague,
22 calls for a legal opinion.

23 A. Yeah. I don't know what the legal
24 definition is.

25 Q. Have you ever heard of the phrase,

1 independent development, in your many years in this
2 business?

3 A. Not --

4 MR. KAMBER: Objection. Vague.

5 A. -- exactly that -- that way. You know, I
6 mean, from the construct developed independently.

7 Q. All right. And are you aware that Google
8 has the burden of proof on showing or proving
9 independent development?

10 MR. KAMBER: Objection. Foundation, calls
11 for a legal opinion.

12 A. I don't know the legal basis.

13 Q. Can you explain can Google didn't have an
14 opening report on Loon independent development?

15 MR. KAMBER: Objection. Foundation, calls
16 for a legal opinion.

17 A. No.

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 MR. KAMBER: Objection. Foundation.

23 Q. You don't know who Richard DeVaul is,
24 right? We've already established that.

25 A. Yeah.

1 MR. KAMBER: Objection. Asked and
2 answered.

3 Q. And can you describe what DeVaul's role in
4 the Loon development was at any level?

5 MR. KAMBER: Objection. Foundation, vague.

6 A. No.

7 Q. Who's Dan Piponi?

8 A. I don't know.

9 MR. KAMBER: Objection. Foundation.

10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]

16 Q. One way or the other?

17 MR. KAMBER: Same objections.

18 Q. Who's Astro Teller?

19 MR. KAMBER: Objection. Foundation.

20 A. Astro Teller?

21 Q. Yeah.

22 A. I don't know Astro Teller.

23 Q. Who is Cliff Biffle?

24 MR. KAMBER: Objection. Foundation.

25 A. I don't know.

1 Q. Did Biffle play any role in the development
2 of Loon and Google?

3 MR. KAMBER: Objection. Foundation.

4 A. I don't know.

5 Q. Did Astro Teller play any development --
6 any role in the development of Loon and Google?

7 MR. KAMBER: Objection. Foundation.

8 A. Since I don't know who they are, I have no
9 knowledge.

10 Q. That would follow, who's Sebastian Thrun,
11 T-H-R-U-N?

12 MR. KAMBER: Objection. Foundation.

13 A. Sebastian Thrun is a -- is a AI control
14 theory guy who I believe was at Stanford and may
15 have been at Caltech. I can't recall.

16 Q. Did Astro Teller have any role in
17 developing Loon at Google?

18 MR. KAMBER: Objection. Foundation.

19 A. Astro Teller? I don't know.

20 Q. Did Sebastian Thrun play any role in
21 developing Loon and Google?

22 MR. KAMBER: Objection. Foundation.

23 A. I don't know if he had any role in Loon. I
24 he's had other roles at Google.

25 Q. Yeah. He was the founder of what became

1 known as Waymo, isn't that correct, sir?

2 MR. KAMBER: Objection. Foundation --

3 A. He -- he --

4 MR. KAMBER: -- assumes facts not in
5 evidence.

6 A. He was involved with it. Whether he was
7 the founder I don't know.

[REDACTED]

25 Q. Is there a relationship between Eric Teller

■ ■ ■
■ ■ ■ ■
■ ■
■ ■ ■ ■

5 Q. So Meyer does a damage report where she
6 assumes, as every damage expert does, liability.
7 Google's lawyers give you their report and say we
8 want you to do a technical rebuttal saying there was
9 no trade secret misappropriation or breach of the
10 contract, is that right?

11 MR. KAMBER: Objection. Argumentative,
12 vague, compound. It also misstates the Meyer
13 report.

14 A. So what I -- what I said in my report is
15 that Dr. Meyer's report offers opinions concerning
16 Space Data's alleged damages with respect to Space
17 Data's misappropriation and breach. Contract claims
18 in connection with those opinions that included
19 various statements assumptions and purported
20 understandings about Google's exposure to and use of
21 asserted trade secrets and their supposed benefit to
22 Google in its development of Loon. I've been asked
23 by Google to assess the reasonableness and accuracy
24 of various of Dr. Meyer's statements, assumptions,
25 and understandings pertaining to the asserted

1 COMMONWEALTH OF MASSACHUSETTS)

2 SUFFOLK, SS.)

3 I, Valerie Rae Johnston, Shorthand Reporter
 4 and Notary Public in and for the Commonwealth of
 5 Massachusetts, do hereby certify that there came
 6 before me on the 13th day of December 2018 at X
 7 p.m., the
 8 person hereinbefore named, who was by me duly
 9 sworn to testify to the truth and nothing but the
 10 truth of his knowledge touching and concerning the
 11 matters in controversy in the cause; that he was
 12 thereupon examined upon his oath, and his
 13 examination reduced to typewriting under my
 14 direction; and that the deposition is a true
 15 record of the testimony given by the witness.

16 I further certify that I am neither attorney
 17 or counsel for, no related to or employed by, any
 18 attorney or counsel employed by the parties hereto
 19 or financially interested in the action.

20 In witness whereof, I have hereunto set my
 21 hand and affixed my notarial seal this 20th day
 22 of December 2018.

23 _____
 24 Notary Public

25 My commission expires: 8/5/22